

**County of Clinton Industrial Development Agency
Report of the Public Hearing
Regarding Vilas Home, LLC
December 17, 2020**

The public hearing was called to order by Renee McFarlin, Executive Director of the County of Clinton Industrial Development Agency at 9:00 a.m., electronically via GoToMeeting <https://global.gotomeeting.com/join/556688389>, Plattsburgh, New York.

Present: Renee McFarlin, Executive Director of the County of Clinton IDA; Eli Schwartzberg, Vilas Home, LLC, Owner; Fred Wachtmeister, Board Member, Plattsburgh City School District Board of Education

My name is Renee McFarlin, and I am the Executive Director of County of Clinton Industrial Development Agency (the "Agency") in connection with the project which is the subject of this public hearing.

Today I am holding this Public Hearing to allow citizens to make a statement, for the record, relating to the involvement of the Agency with a project (the "Proposed Project") for the benefit of Vilas Home, LLC, a New York State limited liability company (the "Company").

The Proposed Project consists of the following: (A) (1) the acquisition of an interest in an approximately 3.40 acre parcel of land located at 61 Beekman Street (Tax Map No. 207.18-6-38) in the City of Plattsburgh, Clinton County, New York (the "Land"), together with an existing 22,400 square foot building located thereon (the "Existing Facility"), (2) the reconstruction and renovation of the Existing Facility and the construction of a 60,000 square foot addition to the Existing Facility (the "Addition" and collectively with the Existing Facility, the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery and equipment (collectively, the "Equipment") (the Land, the Facility and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute an adult home facility to be owned and operated by the Company and other directly and indirectly related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

I intend to provide general information on the Agency's general authority and public purpose to provide assistance to this Proposed Project. I will then open the comment period to receive comments from all present who wish to comment on either the Proposed Project or the Financial Assistance contemplated by the Agency with respect to the Proposed Project.

Legal Authorization and Powers of the Agency

The provisions of Chapter 1030 of Laws of 1969 of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York as amended, and Chapter 225 of the 1971 Laws of the State of New York, as amended, codified as Section 895-f of said General Municipal Law (collectively, the "Act"), authorize the Agency to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining and equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others.

Purpose of this Public Hearing

Pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act"), prior to the Agency providing any "financial assistance" (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project. Since the proposed "financial assistance" to be provided by the Agency with respect to the Proposed Project may exceed \$100,000, then prior to providing any "financial assistance" (as defined in the Act) of more than \$100,000 to the Proposed Project, the Agency must hold a public hearing on the nature and location of the Project Facility and the proposed "financial assistance" to be provided by the Agency with respect to the Proposed Project.

After consideration of the Application received from the Company, the members of the Agency adopted a resolution on November 9, 2020 (the "Public Hearing Resolution") authorizing the Executive Director of the Agency to conduct this Public Hearing with respect to the Proposed Project pursuant to Section 859-a(2) of the Act.

The Executive Director of the Agency caused notice of this Public Hearing to be (A) mailed on November 30, 2020 to the chief executive officers of Clinton County, City of Plattsburgh and the Plattsburgh City School District and (B) published on December 3, 2020 in The Press Republican, a newspaper of general circulation available to the residents of the City of Plattsburgh, Clinton County, New York. In addition, the Executive Director of the Agency caused notice of this Public Hearing to be posted on November 27, 2020 on the Agency's website and also on December 1, 2020 on a public bulletin board located at the City Clerk's Office, City Hall, 41 City Hall Place in the City of Plattsburgh, Clinton County, New York.

Copies of the notice of this Public Hearing are available online.

Now, unless there is any objection, I am going to suggest waiving the full reading of the notice of this Public Hearing, and instead request that the full text of the notice of this Public Hearing be inserted into the record of this Public Hearing.

Public Hearing Notice

Notice is hereby given that a public hearing (the "Public Hearing") pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the County of Clinton Industrial Development Agency (the "Agency") on the 17th day of December, 2020 at 9:00 o'clock a.m., local time, in connection with the Vilas Home, LLC Project, as described below. As a result of the (1) ban on large meetings or gatherings pursuant to Executive Order 202.1 issued on March 12, 2020, as supplemented, (2) ban on non-essential gatherings of individuals of any size for any reason pursuant to Executive Order 202.10 issued on March 23, 2020, as supplemented and (3) suspension of the Open Meetings Law relating to public hearings pursuant to Executive Order 202.15 issued on April 9, 2020, as supplemented, each as issued by Governor Cuomo in response to the novel Coronavirus (COVID-19) pandemic, the Public Hearing will be held electronically rather than in person. Members of the public may attend the Public Hearing by viewing and commenting on the Project and the benefits to be granted to Vilas Home, LLC, a New York State limited liability company (the "Company"), by the Agency during the Public Hearing by logging into the webinar via computer, tablet or smartphone at:

<https://global.gotomeeting.com/join/556688389>

You can also dial in using your telephone:

United States: +1 (646) 749-3122

Access Code: 556-688-389

The Company submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.40 acre parcel of land located at 61 Beekman Street (Tax Map No. 207.18-6-38) in the City of Plattsburgh, Clinton County, New York (the "Land"), together with an existing 22,400 square foot building located thereon (the "Existing Facility"), (2) the reconstruction and renovation of the Existing Facility and the construction of a 60,000 square foot addition to the Existing Facility (the "Addition" and collectively with the Existing Facility, the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery and equipment (collectively, the "Equipment") (the Land, the Facility and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute an adult home facility to be owned and operated by the Company and other directly and indirectly related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Agency is considering whether (A) to undertake the Project, and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Clinton County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction, renovation and installation of the Project Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQR Act") regarding the potential environmental impact of the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Minutes of the Public Hearing will transcribed and posted on the Agency's website (www.clintoncountyida.com). Additional information can be obtained from, and written comments may be addressed to: Renee McFarlin, Executive Director, County of Clinton Industrial Development Agency, 137 Margaret Street, Suite 209, Plattsburgh, New York 12901; Telephone: 518-565-4627 and electronically

at Renee.McFarlin@clintoncountygov.com.

Dated: November 24, 2020

The comments received today at this Public Hearing will be presented to the members of the Agency at or prior to the meeting at which the members of the Agency will consider whether to approve the undertaking of the Proposed Project by the Agency and the granting by the Agency of any “financial assistance” in excess of \$100,000 with respect to the Proposed Project.

Written Comments

The notice of this Public Hearing indicated that written comments could be addressed to: Renee McFarlin, the Executive Director of the Agency. One written comment has been received by the Agency prior to this Public Hearing.

Remarks by the Company

I will now introduce Eli Schwartzberg of Vilas Home, LLC, who will describe the Proposed Project in further detail.

E. Schwartzberg introduced himself and explained the benefits of the Vilas Home Expansion Project including the creation of new jobs, retention of current jobs, expanded care options for residents including memory care units and enhanced assisted living, and restoration of the historic Vilas Home building.

Open Public Hearing to the Floor for Comments

I will now open this Public Hearing for public comment at 9:10 o'clock, a.m.

By way of operating rules, if you wish to make a public comment, please raise your hand, and I will call on you. Please wait to be recognized, once recognized, please state your name and address for the record.

When everyone has had the opportunity to speak, I will conclude this Public Hearing. A record of this Public Hearing will be prepared and reviewed by the members of the Agency in connection with the Agency's consideration of the Proposed Project.

Again, the purpose of this Public Hearing is to solicit public comment. We are not here to answer questions. However, we will in the course of this Public Hearing consider questions if we have the information to answer the questions and there is sufficient time to consider such questions.

I will now ask if there is anyone in attendance who wishes to comment on either on the nature and location of the Project Facility or the proposed “financial assistance” being contemplated by the Agency with respect to the Proposed Project.

For the record, please state your name and indicate your comments on either the Proposed Project or the proposed “financial assistance” being contemplated by the Agency with respect to the Proposed Project.

Fred Wachtmeister indicated that he would like to express an opinion or comment on the proposed Project. He indicated that he had sent an email to Renee McFarlin prior to the meeting. F. Wachtmeister stated that he is opposed to the deviation from the uniform tax exemption policy (UTEP). Also, he

mentioned that there was no indication in the application nor on the CCIDA website that indicated how long the PILOT would last in terms of a deviation or whether there would be changes in the percentages. He could not find a schedule of taxes that would be part of the PILOT from year to year. He stated this was the basis for his objection to the application. F. Wachtmeister stated that the deviation should be made more explicit and the deviation should be made available. He stated that interested parties would then be able to breakdown the impact of the Project and the deviation in terms of the PILOT for their own purposes.

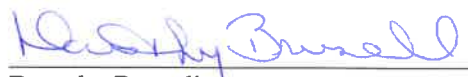
R. McFarlin apologized to F. Wachtmeister that this wasn't more explicit on the CCIDA website, and indicated that she had received his email and had responded to it prior to the meeting. R. McFarlin advised F. Wachtmeister that there was no requested deviation for this project application. She stated the application does include a Uniform Tax Exemption Policy (UTEP) total score of 13 points, which qualifies for a Tier 3 PILOT schedule. This provides a 15-year abatement schedule, with the first five years of the improvements wholly exempted from any payment in lieu of taxes. In Year 6, the project will pay 50 percent of the amount, Year 7 they'll pay 55 percent, Year 8 they'll pay 60 percent, and so on until we reach Year 15. R. McFarlin made clear that this is only for further improvements, such as the renovations and the expansion.

F. Wachtmeister stated that his computer had malfunctioned and he was unable to hear what R. McFarlin had just said and asked if she could send him the information after this public hearing. R. McFarlin indicated that her response would be part of the meeting record but she could provide him the following brief summary. She stated there was no requested deviation in the PILOT application, and it's a Tier 3 PILOT as defined in our Uniform Tax Exemption Policy which is 15 years. E. Schwartzberg indicated that it was his understanding that as long as they fit into one of the prescribed tiers, then they don't need a deviation. F. Wachtmeister asked if that was based on the scoring template which was self-scoring. R. McFarlin indicated that the County of Clinton Industrial Development Agency (CCIDA) Board of Directors did review Eli's self-score on the rubric and there was a relatively detailed conversation about it. She indicated that the minutes and/or recording of that meeting on November 9, 2020 would include that discussion. F. Wachtmeister indicated he had no further questions at this point and he would review the minutes and get back with any remaining questions. E. Schwartzberg thanked F. Wachtmeister for his participation in the process.

Formal closure of the public hearing

So, if there are no further comments, I will now close this Public Hearing at 9:20 o'clock, a.m.

Thank you for attending.



Dorothy Brunell
Administrative Assistant